IN THE HIGH COURT OF JUDICATURE AT PATNA
CR.MISC. NO.39783 OF 2008

1. RAM BILASH SHARMA, SON OF SARYUG SHARMA
2. TETRI DEVI, WIFE OF RAMBILASH SHARMA
3. GEETA DEVI, DAUGHTER OF RAMBILASH SHARMA
4. SANJAY KUMAR @ SANJAY SHARMA, SON OF RAMBILASH SHARMA
5. PIKU KUMAR, SON OF RAMBILASH SHARMA

ALL RESIDENTS SOF RAMPUR RAHIMPUR, POLICE STATION PARBATTA, DISTRICT KHAGARIA

VERSUS

STATE OF BIHAR

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2 05.12.2008 Mr. S. D. Sanjay, learned Counsel appearing on behalf of the petitioners submits that during the pendency of this case, the petitioner no. 4 Sanjay Kumar @ Sanjay Sharma has been arrested and later on was released on bail by the Court below itself and accordingly this application has become infructuous against him.

Accordingly, this application for anticipatory bail so far as petitioner no. 4 Sanjay Kumar @ Sanjay Sharma is concerned, is hereby dismissed as having become infructuous.

Heard the parties.

Offences alleged are under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegations against the petitioners are that they are the members of the in-laws family alleged to have demanded the dowry and assaulted the complainant.

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It is submitted that on perusal of the complaint, it would appear that the primary allegation is against the husband of the complainant, namely, Rajesh Kumar Sharma. It is further submitted that as a matter of fact, the complainant is not married to the accused Rajesh Kumar Sharma and for that he had filed an Informatory Petition before the Chief Judicial Magistrate, Khagaria vide Annexure-2 to this application alleging that he has received threats from the father of the complainant to marry with her.

Considering the facts and circumstances of the case, in the event of arrest/surrender before the Court below within a period of four weeks, the petitioners Ram Bilash Sharma, Tetri Devi, Geeta Devi and Piku Kumar are directed to be released on bail in Complaint Case No. 273 (C) of 2008 on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria.

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Anand **(Shailesh Kumar Sinha, J.)**